

REMARKS

In response to the restriction requirement imposed in the Office Action mailed on March 24, 2005, Applicants provisionally elect the species II (Fig. 9) and traverse the restriction requirement for the following reasons.

At the outset, the difference between species II and species I is the inclusion of a contact pad in species I (Figs. 6-8). Species III (Figs. 14A-14D) really teach the claimed method for forming the semiconductor device with the contact pad. Thus, species II and species III are really one of the same. Species I is also so close to species II and species III that it should be examined together because the only thing missing from species I that is included in species II and III is the inclusion of a contact pad.

Regardless, Applicants respectfully submit that claims 1-24 all read on species II. For that matter, claims 1-24 also read on species III. Finally, Applicants also respectfully submit that species I reads on claims 1-6 and 12-18. Hence, the independent claims are generic to all three species. Because all claims 1-24 read on species II, Applicants provisionally elect species II. Applicants also note that the examination of species II will also necessary result in the examination of species III. Applicants will petition for the inclusion of species I when claims 1-6 or 12-18 are indicated as being allowable.

Applicants also take this opportunity to amend Figures 9-11 and 14D. The lead lines for the lower electrodes 62 in Figures 9-11 have been corrected for consistency and to render them compliant with general U.S. Patent practice. The contact pad 152 of Figure 14D was misnumbered in its original form. Copies of the corrected annotated sheets and new formal sheets for Figures 9-11 and 14D are submitted herewith.

Applicants have also taken this opportunity to amend claims 1-4, 12 and 14-16 for purposes of clarity and to avoid any §112 issues upon first examination. No new matter has been added thereby.

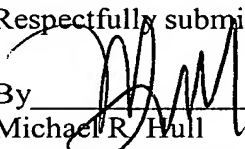
Applicants have also made three changes to the specification to correct typographical/translational errors.

An early action on the merits is respectfully requested.

Dated: April 20, 2005

Respectfully submitted,

By


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Attachments

APPENDIX



FIG. 9

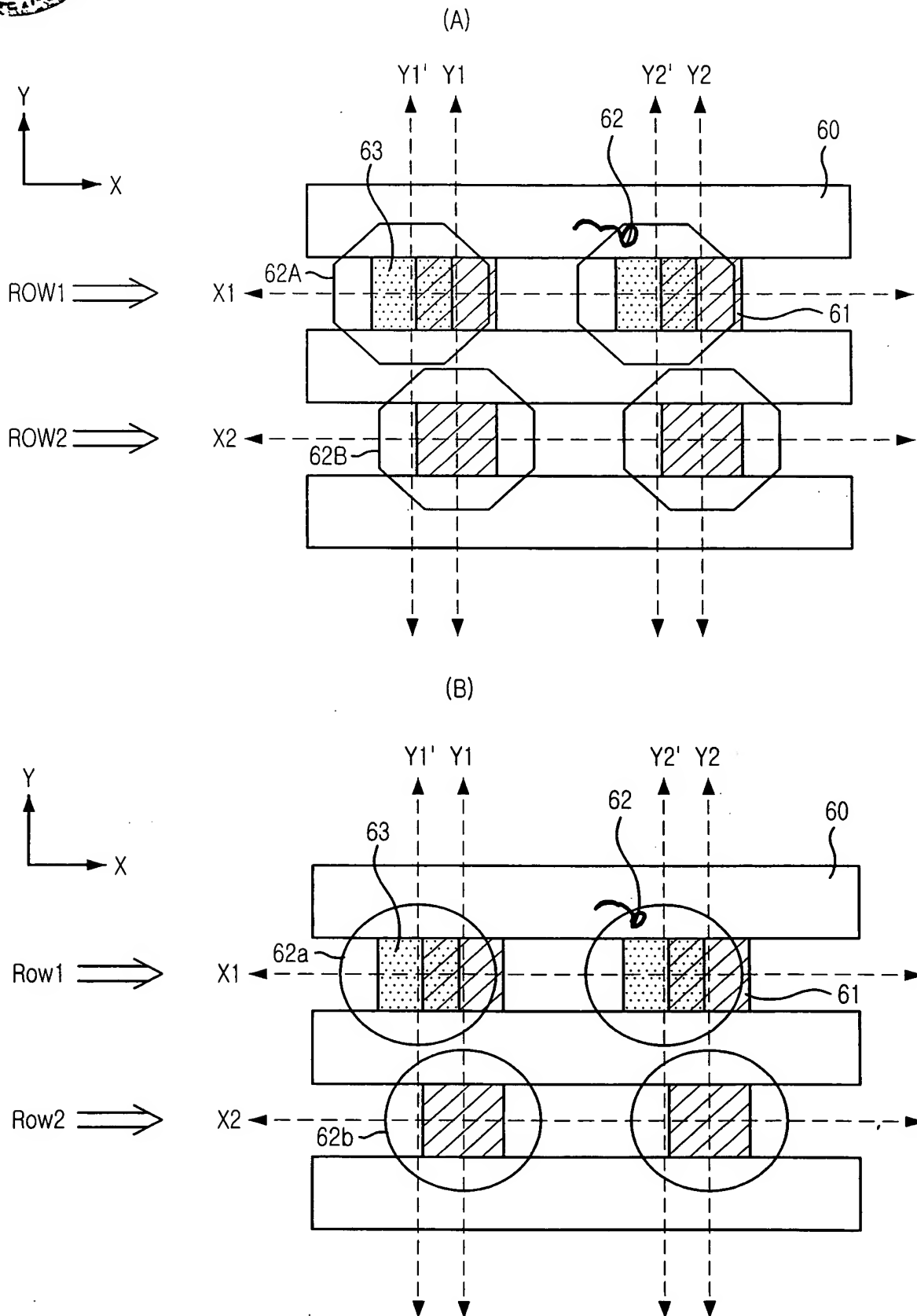


FIG. 10

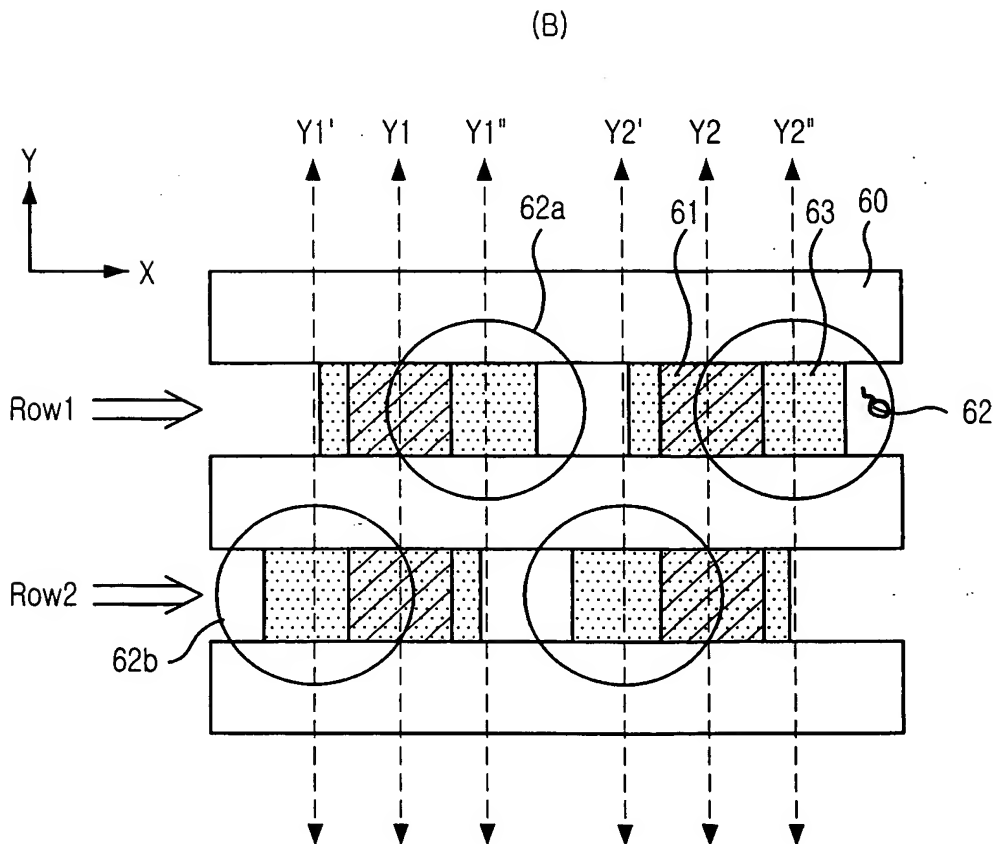
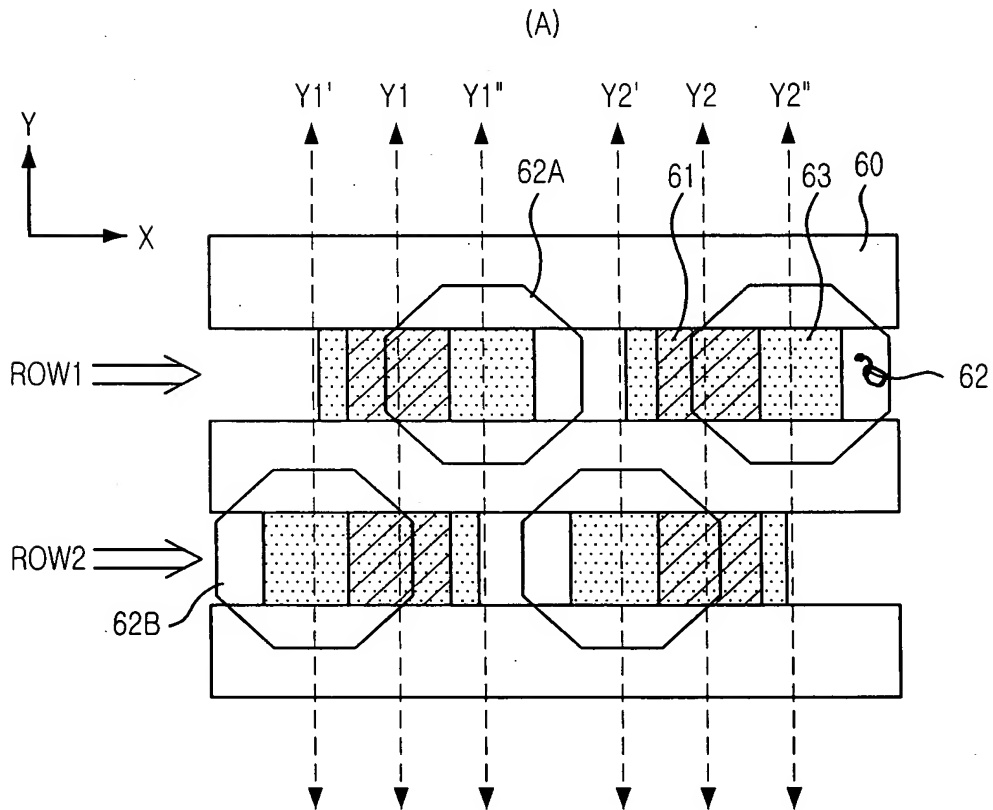


FIG. 11

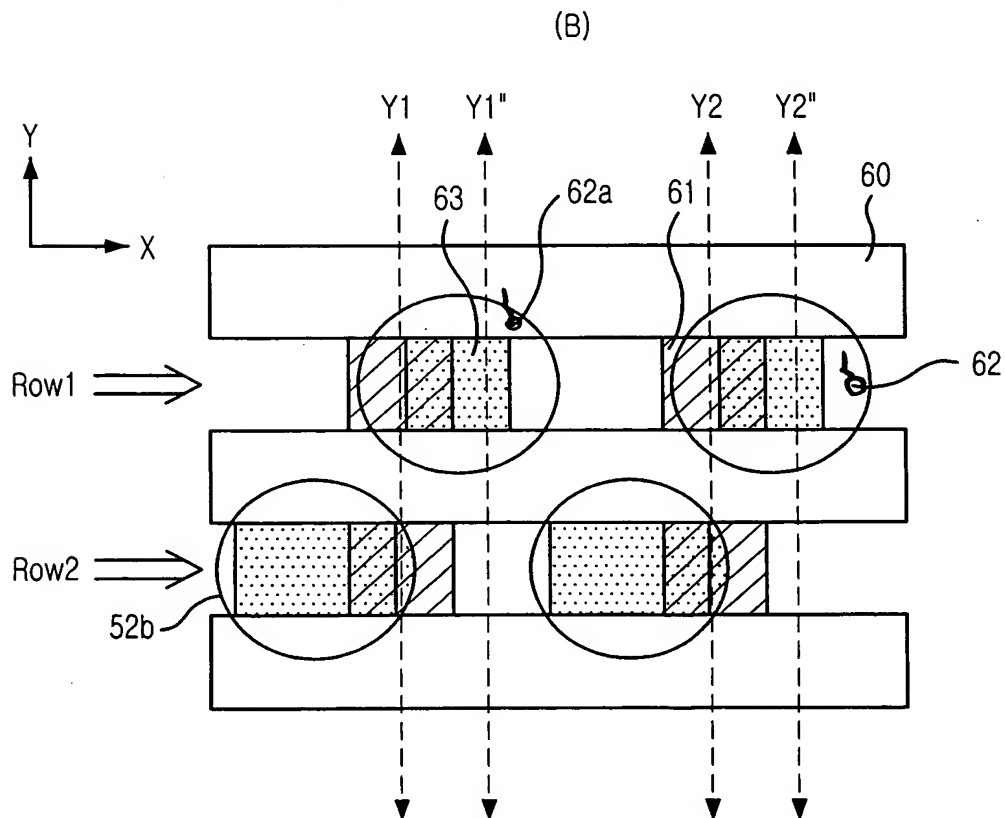
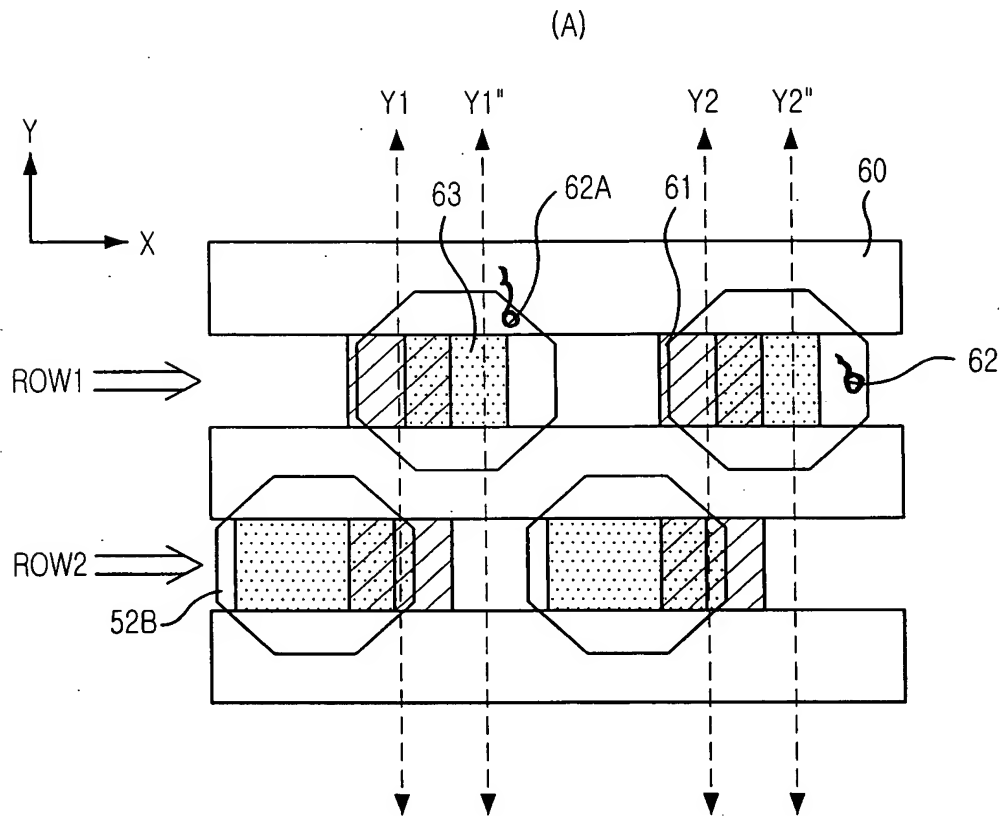


FIG. 14D

